

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LARRY R. HARRIS,

Defendant.

8:19-CR-146

MEMORANDUM AND ORDER

This matter comes before the Court on Defendant's Motion for Reconsideration. [Filing 44](#). Defendant asks the Court to reconsider its prior Order ([Filing 43](#)) denying his request for compassionate release. [Filing 44](#). In its prior Order and after consideration of Defendant's circumstances, the Court denied Defendant's request because releasing him "would be contrary to the factors the Court must consider under 18 U.S.C. § 3553(a), including the 'nature and circumstances of the offense,' 'history and characteristics of the defendant,' 'need to avoid unwarranted sentence disparities among defendant with similar records who have been found guilty of similar conduct,' and the need for the sentence imposed to 'reflect the seriousness of the offense,' 'promote respect for the law,' 'provide just punishment for the offense,' 'afford adequate deterrence,' and 'protect the public.'" [Filing 43 at 3](#).

Defendant now argues that other judges in the District of Nebraska have appointed counsel or commissioned investigations into various inmate requests for compassionate release. [Filing 44 at 2](#). Defendant also raises the same arguments previously rejected by the Court and highlights his lack of criminal history, his statistical unlikelihood of recidivating, and the fact that the government "fabricated" his original enticement charge and "finds entrapment much easier than solving actual crimes." [Filing 44 at 4](#) (emphasis in original). However, the Court

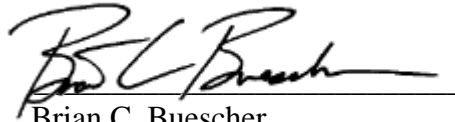
remains unpersuaded that releasing Defendant would comport with the objectives of 18 U.S.C. § 3553(a). The statutory sentencing objectives are applied to the unique facts and circumstances of each case, and Defendant's reference to the discretionary actions of other judges in other cases is unavailing. Furthermore, Defendant's attempt to foist responsibility for his actions upon the government is, at the very least, concerning. As such, the Court stands by its prior reasoning and denies Defendant's request for reconsideration.

IT IS ORDERED:

1. Defendant's Motion for Reconsideration ([Filing 44](#)) is denied.

Dated this 5th day of April, 2021.

BY THE COURT:


Brian C. Buescher
United States District Judge